

TDC Blue Ribbon Committee  
February 14, 2007 Meeting Minutes Final

**Members Present:** Farm Bureau – Joy Fitzhugh; Sierra Club – Susan Harvey; Existing TDC receiver site – Chad Whittstrom; Development Firm – Dennis Sullivan; Land Conservancy – “BK” Bruce Richard; Subdivision Review Board, Air Pollution Control Board – Aeron Arlin Genet; General Public – Mellissa Boggs; General Public - Christine Volbrecht; South County Advisory Council - Jesse Hill; Templeton Area Advisory Group - Nicholas Marquart ; City of Paso Robles- Ron Whisenand ; Ag Liaison – Mark Pearce; City of San Luis Obispo – Kim Murry; Active Agriculturalist – Charles Whitney

**Members Absent:** Subdivision Review Board, Public Works – Richard Marshall; ECOSLO- for Maria Lorca;

**Committee Staff Present:** Karen Nall, Planning and Building, Kami Griffin, Planning and Building  
**Others Present:** Dorothy Jennings, Lynda Auchinachie Co Ag Department, Sheila Lyons , Michael Winn, Kathryn Sweet, Sue Luft.

Public Comment: Karen Nall requests any Public Comment for items not on the agenda. Dorothy Jennings questions the procedure to amend the lists that the group developed at the last few meetings if new information is obtained. Karen Nall responds that the lists were part of background information and suggests not adding to these lists. She adds that the group is now starting on the work program.

Dorothy Jennings requests that the committee consider requesting a TDC moratorium in TAAG’s (Templeton Area Advisory Group) area or countywide. Karen Nall and Kami Griffin note that this issue came up at the Board Hearings and that the Board did not impose a countywide moratorium just for a portion of District 5. Discussion ensues.

Mike Winn reports that the RMS (Resource Management System) report was send back for revisions regarding Los Osos, Nipomo Mesa and portions of Paso Robles basin. Aeron Arlin Genet clarifies that the issue of antiquated subdivisions was referred to this committee, not the RPD, which has been withdrawn.

Lynda Auchinachie questions whether receiving sites are restricted to residential uses only. Kami responds that any allowable uses within the zoning would be allowed on a receiver site.

Kami Griffin notes that staff is here to provide expertise and to correct any misinformation that is presented.

Karen nall notes that the web site is up at the following address: [slocounty.ca.gov/planning/meeting/calendar/TDC\\_Blue\\_Ribbon\\_Committee](http://slocounty.ca.gov/planning/meeting/calendar/TDC_Blue_Ribbon_Committee)

Discussion: Bob Hill from the SLO Land Conservancy provides a discussion on conservation easements. He notes there are three reference books for easements: The Conservation Easement Handbook 1990, Conservation Easement Handbook updated version and Conservation Easements in California. These books are available at this office if anyone is interested, and passes the books around the committee. Bob Hill provides a handout outlining the discussion.

Bob Hill notes that a conservation easement is a limited interest in real property. He explains the “bundle of sticks” analogy. Each stick is a separate right, right to build a house, right to farm. One or more “sticks” are given to a public agency.

Bob Hill explains the difference between conservation easements, open space easement and deed restrictions. Conservation easements have core parts: purpose statements, prohibited uses, retained rights, violation remedies, assignment of the easement and extinguishment of the easement (court of

competent jurisdiction). Group discussion ensues. Bob Hill explains the sample easements that have been provided to the group. He notes that easements will have the same core parts but will differ significantly. Discussion continues regarding tax consequences, appraisals, value of development potential, value of TDC 's, gifting of TDC's.

Sue Harvey questions the County's program requiring a deed restriction and questions the TDCR and TDCS lot designations. Kami Griffin notes that these function like combining designation or flags on properties. She adds that because they require a GPA to update the official maps only El Pomar has been updated. She further adds that all sending sites have been noted on the Tidemark tracking system database.

Dorothy Jennings questions how appraisals are conducted on Williamson Act properties when full development may not be achieved until the contract is terminated. Bob Hill responds that in his experience the appraisal will have a discounted rate. Kami Griffin notes that properties under Williamson Act still have a list of allowable use. It does not prevent one from development or subdivisions. Discussion ensues regarding terminations of Williamson Act contracts.

Sheila Lyons questions what allowable uses can be taken out for the conservation easements. Bob Hill and Karen Nall notes that this is an item for the group to decide and it is next on our agenda.

Jesse Hill questions whether any other public agencies are willing to hold conservation easements and questions whether the Land Conservancy is willing to continue to hold them. Kami Griffin notes that no other agency has come forward. Bob Hill notes that his Board of Directors has not discussed this. Charlie Whitney notes that Steve Sinton with the Rangeland Trust would be willing to talk to the group. Bob Hill notes the he would encourage other groups to come forward to hold easements. He notes that agencies have different focuses for conservation and that the Land Conservancy's mission statement focuses on preserving agriculture, cultural, scenic, and biological value.

Dorothy Jennings notes that when Williamson Act lands are encumbered with a conservation easement the Department of Conservation gets involved and questions what happen with a TDC sending site and does the DOC weigh in. Kami Griffin and Bob Hill both note that they are not aware of this regulation. Kami Griffin will check and return.

Dorothy Jennings questions what public agencies will hold easements. Bob Hill responds that City of SLO, Fish and Game, RCD, etc. Kami Griffin notes that the County will not hold them. Ron Whisenand questions why the County will not hold easements and does not limit the program. Kami Griffin responds that the County is not in a position is to manage the easement. Aeron Arlin Genet questions what managing entails. Bob Hill and Kami Griffin respond. Kami Griffin notes that the county not holding easements is a problem in the case of the Jafodi sending site which is a greenhouse operation and that no one is willing to hold the easement. Discussion ensues.

Group discussion ensues on the California Valley antiquated subdivision. Bob Hill discusses partial easements that do not encumber entire sites and surveyed boundaries and retained rights. Aeron Arlin Genet questions how much land is within conservation easement. Group discusses.

Chris Volbrecht notes she would like to discuss" Is the Program going to continue?". Kami Griffin notes that this will be added to next agenda.

Meeting adjourned. Next Meeting February 28 in the New Government Center Room 161.